Appl. No. 10/001,521
Amdt. dated November 29, 2005
Reply to Office action of June 2, 2005

REMARKS

Reconsideration of this application is respectfully requested.

Claims 42-44 are added to include computer readable medium claims with similar features to claims 1, 6 and 17, respectively. No new matter is added. Claims 20-22 are canceled without prejudice to avoid payment of government fees for the newly added claims.

Claims 1-41 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite because of lack of antecedent basis for certain terms. The claims have been amended as suggested by the Examiner. Applicant is unaware of any remaining claim that includes terms lacking proper antecedent basis. As suggested in the Action, should the examiner become aware of any additional term lacking antecedent basis, applicant authorizes the examiner to correct the antecedent basis by examiner's amendment.

Claims 1-41 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,253,244 to Moore et al. These rejections are respectfully traversed for at least the following reasons:

Claim 1 recites, "mapping a plurality of available states within a terminal data stream of the terminal-based application program to respective discrete state definitions within a finite state machine". The mapping is a direct state-to-state mapping between states of a terminal data stream and respective states in the state machine. Thus, the level at which the mapping is done is below the level of fields on a screen. To perform the claimed mapping, the state machine implicitly recognizes the data within the terminal-based application program and has the knowledge required to identify those data within the terminal-based application program.

Moore et al. neither disclose nor suggest this feature. Moore et al. Moore et al. only state, at col. 6, lines 20-35:

> The state machine 25 acts upon data received from the interface 24 and accesses a
> plurality of type libraries 26a, 26b, 26c, . . . and recognition files 27a, 27b, 27c, . .

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. in order to create a collection of field objects to be stored in a fields array 28. A
type library contains detailed information about each screen, including the
position and length at which protected and unprotected fields appear in the
emulator screen, as well as a dataname by which a given field may be identified.
A recognition file is a flat file used for associating a type library with something
recognizable from the host. That is, the recognition file associates a screen object
with recognizable text. It contains a list of identifiers for screens, such as an
identifier of a type library and recognition criteria for each screen.

Thus, Moore's state machine is used solely as a driver for interfacing between the "type
library" and "recognition file". Moore's state machine does not perform mapping between the
states within the terminal data stream and the states within the state machine. Rather, Moore's
state machine maps from screen position and length to recognizable text. Rather than mapping at
the level of data items in the terminal data stream, Moore et al. identifies elements within a
single presented screen, and uses a "recognition file" that "exists for all known screens to be
recognized by a single application." A screen position or length is not a state of the terminal data
stream. A recognizable text is not a state of the state machine. Therefore, this feature of claim 1
is neither disclosed nor suggested by Moore et al., and claim 1 should be patentable.

Claim 18 is directed to a system that performs the method of claim 1 and should be
patentable for the same reasons discussed above. Claim Claims 2-17 are dependent on claim 1
Claims 19 and 23-41 are dependent on claim 18. Therefore, all of the dependent claims should
be allowable for at least the same reasons.

In addition, the dependent claims include many separately patentable features and
combinations.

For example, claim 6 recites, "unifying and resolving multiple terminal-based
applications through unification and resolution of a plurality of instances of a program that
performs steps (a) and (b)." Moore et al. neither disclose nor suggest this feature. The Moore
patent only discusses the integration of a single client to a single host system. Paragraph 11 of
the Action includes a general reference the abstract, but the abstract of Moore et al. makes no
suggestion of including a plurality of instances of a program that performs the mapping and

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defining steps, nor of unification and resolution of the multiple instances of the program. Nor

can these features be found in Moore et al. under any theory of inherency.

M.P.E.P. § 2112 recites:

> "To establish inherency, the extrinsic evidence 'must make clear
> that the missing descriptive matter is **necessarily** present in the
> thing described in the reference, and that it would be so recognized
> by persons of ordinary skill. Inherency, however, may not be
> established by probabilities or possibilities. The mere fact that a
> certain thing may result from a given set of circumstances is not
> sufficient.'" *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d
> 1949, 1950-51 (Fed. Cir. 1999) (emphasis in original)

Therefore, Moore et al. fails to disclose or suggest the features of claim 6. The rejection

of claim 6 under § 102 is improper and must be withdrawn.

Claims 7-11 are dependent on claim 6 and should be allowed for the same reasons as

claim 6. Claims 23-26 include similar features and should also be allowed for the same reasons

as claim 6.

Claim 12 recites, "altering an interface presented to a user of the terminal-based

application program through addition of one of the group consisting of new screens and new data

fields within existing screens, wherein the new screens and new data fields are populated with

data retrieved from an alternate data source." Moore et al. neither disclose nor suggest

populating new screens or new data fields with data retrieved from an alternative data source.

The Action points to the abstract and col. 5, but there is nothing in the abstract or col. 5

disclosing or suggesting populating new screens or data fields with data retrieved from an

alternate data source. Moore et al. only indicate that their new screens are contained in the same

recognition file that contains the old screens, and are presented to the user for populating fields

(col. 6, lines 23-51). Moore et al. does not discuss an alternate data source. Therefore, the

rejection of claim 12 should be withdrawn. Claims 13-16 are dependent on claim 12, and should

be patentable for at least the same reasons. Claims 29-33 include similar features and should

also be patentable for at least the same reasons as claim 12.

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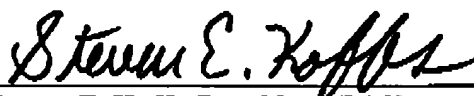Reply to Office action of June 2, 2005

   Claim 17 recites, "using software tools to automate creation and maintenance of an integration system based on knowledge of a domain of the terminal-based application program." Again, the Action points to the abstract and column 5, alleging that claim 17 is also disclosed by the same passage. There is no suggestion in the abstract or column 5 of the features of claim 17. Moore makes no suggestion of automation, or of a knowledge based system. Therefore, the rejection of claim 17 is improper and should be withdrawn. Claim 34 should be allowed for the same reason.

   In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Early notification to that effect is respectfully requested.

   The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

                 Respectfully submitted,

Dated: __11-29-05__

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